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THE BANKRUPTCY PROFESSIONALS  
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**UNITED STATES BANKRUPTCY COURT**  
SOUTHERN DISTRICT OF CALIFORNIA  
325 West F Street, San Diego, California 92101-6991

In Re

JAMES E. NORIEGA, JR.,

Debtor.

BANKRUPTCY NO. 23-03392-MM7

**TRUSTEE'S NOTICE OF INTENDED ACTION AND OPPORTUNITY FOR HEARING**

TO THE DEBTOR, ALL CREDITORS AND OTHER PARTIES IN INTEREST:

**You are hereby notified** that the undersigned Trustee proposes to:

- ☒ Compromise or settle the following controversy [description of controversy to be settled and standards for approval of a settlement as required by LBR 9019]; or
- ☐ Allowance of compensation or reimbursement of expenses by trustee in the amounts indicated below [information required by FRBP 2002(c)(2)]; or  
Fees:  
Costs:
- ☒ Other:

**SEE ATTACHED SETTLEMENT AGREEMENT AND MUTUAL RELEASE and  
DECLARATION OF CHAPTER 7 TRUSTEE IN SUPPORT THEREOF**

IF YOU OBJECT TO THE PROPOSED ACTION:

1. **You are required** to obtain a hearing date and time from the appropriate Courtroom Deputy for the judge assigned to this bankruptcy case. Determine which deputy to call by looking at the Bankruptcy Case No. in the caption on Page 1 of this notice. If the case number is followed by the letters:

-	MM	-	call (619) 557-7407	-	DEPARTMENT ONE (Room 218)
-	LT	-	call (619) 557-6018	-	DEPARTMENT THREE (Room 129)
-	CL	-	call (619) 557-6019	-	DEPARTMENT FIVE (Room 318)

CSD 2062 [09/01/22]

2. **Within 14<sup>1</sup> days from the date of this notice**, you are further required to serve a copy of your **Declaration in Opposition** and separate **Request and Notice of Hearing** [Local Form CSD 1184] upon the undersigned Trustee, together with any opposing papers. A copy of these documents must also be served upon the United States Trustee at 880 Front Street, Suite 3230, San Diego, CA 92101. The opposing declaration must be signed and verified in the manner prescribed by FRBP 9011, and the declaration must:
- a. identify the interest of the opposing party; and
  - b. state, with particularity, the factual and legal grounds for the opposition.
3. **You must** file the original of the Declaration and Request and Notice of Hearing with proof of service with the Clerk of the U.S. Bankruptcy Court at 325 West F Street, San Diego, California 92101-6991, no later than the next business day following the date of service.

**If you fail to serve your “Declaration in Opposition to Intended Action” and “Request and Notice of Hearing”** within the 14-day<sup>1</sup> period provided by this notice, **no hearing will take place**, you will lose your opportunity for hearing, and the Trustee may proceed to take the intended action.

Dated: December 28, 2023

/s/ Ronald E. Stadtmueller

☐ Chapter 7 Trustee ☒ Attorney for Chapter 7 Trustee

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<sup>1</sup>Depending on how you were served, you may have additional time for response. See FRBP 9006.